



Order Filed on September 13, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

STEWART LEGAL GROUP, P.L.

Formed in the State of Florida

Gavin N. Stewart, Esq.

Of Counsel to Bonial & Associates, P.C.

401 East Jackson Street, Suite 2340

Tampa, FL 33602

Tel: 813-371-1231/Fax: 813-371-1232

E-mail: gavin@stewartlegalgroup.com

Attorney for Creditor

In Re:

Joseph Tattegrain

Cindy Cyriaque

Case No.: 16-29011-MBK

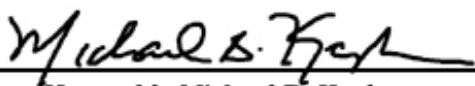
Chapter: 13

Judge: Michael B. Kaplan

**ORDER ON MOTION FOR AUTHORIZATION
TO ENTER INTO FINAL LOAN MODIFICATION AGREEMENT
(CHAPTER 13)**

The relief set forth on the following page is **ORDERED**.

DATED: September 13, 2021



Honorable Michael B. Kaplan
United States Bankruptcy Judge

The Court having reviewed the Motion for Authorization to Enter into Final Loan Modification Agreement filed on August 26, 2021, as to the first mortgage [*enter first, second, third, etc.*] concerning real property located at 117 Madie Avenue, Spotswood, NJ 08884, and the Court having considered any objections filed to such motion, it is hereby ORDERED that:

☒ The debtor is authorized to enter into the final loan modification agreement.

1) The loan modification must be fully executed no later than 14 days from the date of this order. If it is not, the secured creditor, within 14 days thereafter, must file with the Court and serve on the debtor, debtor's attorney, if any, and the standing trustee a Certification indicating why the agreement was not fully executed. A response by the debtor, if any, must be filed and served within 7 days of the filed date of the secured creditor's Certification; and

2) Upon the filing of the Certification required above, and absent a response from the debtor, the standing trustee may disburse to the secured creditor all funds held or reserved relating to its claim. Absent the filing of the Certification within the time frame set forth above, the standing trustee will disburse funds on hand to other creditors pursuant to the provisions of the confirmed Plan and any proof of claim filed in this case with respect to the mortgage is deemed modified and incorporated into the Loan Modification Agreement; and

3) Unless the debtor's Plan has been confirmed with 100% paid to unsecured creditors, the debtor must file a *Modified Chapter 13 Plan and Motions* within 14 days of consummation of the loan modification. If the loan modification results in material changes in the debtor's expenses, the debtor must also file amended Schedules I and J within 14 days of the date of this Order; and

4) Check one:

☒ There is no order requiring the debtor to cure post-petition arrears through the Plan; or
☐ Post-petition arrears are capitalized into the loan modification agreement, and the Order filed on _____ requiring the Standing Trustee to make payments based on the arrearage is vacated as of the date of this order; or

☐ Post-petition arrears have not been capitalized into the loan modification agreement, and the Standing Trustee will continue to make payments to the secured creditor based on the Order filed on _____; and

5) If fees and costs related to loss mitigation/loan modification are sought by the debtor's attorney, an Application for Compensation in compliance with D.N.J. LBR 2016-1 must be filed.

☒ The Motion for Authorization to Enter into Final Loan Modification Agreement is denied.

new.12/17/19

In re:
Joseph Tattegrain
Cindy Cyriaque
Debtors

Case No. 16-29011-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Sep 14, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

| Symbol | Definition |
|--------|--|
| + | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 16, 2021:

| Recip ID | Recipient Name and Address |
|----------|---|
| db/jdb | + Joseph Tattegrain, Cindy Cyriaque, 117 Madie Avenue, Spotswood, NJ 08884-1111 |

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 16, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 13, 2021 at the address(es) listed below:

| Name | Email Address |
|-------------------|--|
| Albert Russo | docs@russotrustee.com |
| Albert Russo | on behalf of Trustee Albert Russo docs@russotrustee.com |
| Andrew M. Lubin | on behalf of Creditor U.S. Bank National Association as Trustee for Credit Suisse First Boston Mortgage Securities Corp., CSFB Mortgage-Backed Pass-Through Certificates, Series 2005-10 bkecf@milsteadlaw.com, alubin@milsteadlaw.com |
| Andrew M. Lubin | on behalf of Creditor Wells Fargo Bank N.A. bkecf@milsteadlaw.com, alubin@milsteadlaw.com |
| Chandra M. Arkema | on behalf of Creditor U.S. Bank National Association as Trustee for Credit Suisse First Boston Mortgage Securities Corp., CSFB Mortgage-Backed Pass-Through Certificates, Series 2005-10 carkema@squirelaw.com |

District/off: 0312-3

User: admin

Page 2 of 2

Date Rcvd: Sep 14, 2021

Form ID: pdf903

Total Noticed: 1

Denise E. Carlon

on behalf of Creditor U.S. Bank National Association as Trustee for Credit Suisse First Boston Mortgage Securities Corp., CSFB Mortgage-Backed Pass-Through Certificates, Series 2005-10 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com

Elizabeth L. Wassall

on behalf of Creditor U.S. Bank National Association as Trustee for Credit Suisse First Boston Mortgage Securities Corp., CSFB Mortgage-Backed Pass-Through Certificates, Series 2005-10 ewassall@logs.com, njbankruptcynotifications@logs.com; logsecf@logs.com

Francesca Ann Arcure

on behalf of Creditor Select Portfolio Servicing Inc., as servicer for Wilmington Trust, National Association, as successor Trustee to Citibank, N.A., as Trustee for SACO I Trust 2005-10, Mortgage Backed Certificates, Ser NJ_ECF_Notices@McCalla.com, NJ_ECF_Notices@McCalla.com

Francesca Ann Arcure

on behalf of Creditor Select Portfolio Servicing Inc. as servicer for Wilmington Trust, National Association, As Successor Trustee to Citibank, N.A., As Trustee for SACO I Trust 2005-10, Mortgage Backed Certificates, Seri NJ_ECF_Notices@McCalla.com, NJ_ECF_Notices@McCalla.com

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on behalf of Creditor Select Portfolio Servicing Inc. as servicer for Wilmington Trust, National Association, as Successor Trustee to Citibank, N.A., As Trustee for SACO I Trust 2005-10, Mortgage Backed Certificates, Seri NJ_ECF_Notices@McCalla.com, NJ_ECF_Notices@McCalla.com

Gavin Stewart

on behalf of Creditor Specialized Loan Servicing LLC bk@stewartlegalgroup.com

Jacqueline Rita Rocci, I

on behalf of Joint Debtor Cindy Cyriaque jacqueline@rocciesquire.com

Jacqueline Rita Rocci, I

on behalf of Debtor Joseph Tattetrain jacqueline@rocciesquire.com

Jason Brett Schwartz

on behalf of Creditor Capital One Auto Finance jschwartz@mesterschwartz.com

Kevin Gordon McDonald

on behalf of Creditor Credit Suisse First Boston Mortgage Securities Corp. CSFB Mortgage-Backed Pass-Through Certificates, Et Al... kmcdonald@kmlawgroup.com, bkgroup@kmlawgroup.com

TOTAL: 15